

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	Criminal No. 3:09-CR-210-B(1)
	§	
JESSE WILLIAM MCGRAW	§	

ORDER

Before the Court is Defendant Jesse William McGraw's *Motion Requesting a Judicial Recommendation Concerning Length of RRC/Halfway House Placement* filed on April 18, 2019 (doc. 161). Defendant asks this Court to recommend that the Bureau of Prisons (BOP) place him in a residential re-entry center or halfway house 12 months before the end of his sentence.

Title 18 U.S.C. § 3624(c)(1) provides that the BOP "shall, to the extent practicable, ensure that a prisoner serving a term of imprisonment spends a portion of the final months of that term (not to exceed 12 months), under conditions that will afford that prisoner a reasonable opportunity to adjust to and prepare for the reentry of that prisoner into the community. Such conditions may include a community correctional facility."


Title 18 U.S.C. § 3621(b)(4) provides that the BOP shall designate the place of a prisoner's imprisonment that it determines to be appropriate and suitable. Among the factors for the BOP to consider is "any statement by the court that imposed the sentence concerning the purposes for which the sentence to imprisonment was determined to be warranted; or recommending a type of penal or correctional facility as appropriate." *Id.*

The BOP is more familiar than this Court with Defendant's circumstances and rehabilitation and the pre-release length of time in any community correctional facility that is appropriate and suitable for him. For those reasons, this Court declines to make the requested recommendation. *See*

*United States v. Noguni*, No. 2:15-CR-00339, 2019 WL 1748505 (D. Nev. April 17, 2019) (declining to recommend placement in a community correctional facility under §§ 3621(b) and 3624(c), because the BOP was best-suited to make that analysis).

It is **ORDERED** that the motion (doc. 161) is **DENIED**.

SIGNED April 22, 2019



JANE J. BOYLE  
UNITED STATES DISTRICT JUDGE